

REMARKS

Upon receipt of this response, the Examiner is respectfully requested to contact the undersigned representative of the Applicant to arrange a telephone interview concerning the inventive merits of this application.

FIG. 1 of the drawings is amended, per the attached Submission, to overcome a noted informality contained therein. A new Replacement Sheet of formal drawings, accompanying the attached Submission, incorporates the requested drawing amendment. If any further amendment to the drawings is believed necessary, the Examiner is invited to contact the undersigned representative of the Applicant to discuss the same.

Claims 8, 9, 12 and 14-16 are rejected, under 35 U.S.C. § 102, as being unpatentable by Frost '358. The Applicant acknowledges and respectfully traverses the raised anticipatory rejection in view of the following remarks.

The Applicant thanks the Examiner for indicating that claims 10 and 11 are allowed while claim 13 would be allowable if appropriately amended. In accordance with this indication, the subject matter of claim 13 is incorporated into independent claim 8 and this amended independent claim is now believed to be allowable. As claims 9, 12 and 15 each depend directly from newly amended independent claim 8, those dependent claims are also believed to be allowable along with allowed claims 10 and 11.

Notwithstanding the indicated allowance of claim 10, a few minor editorial amendments are entered to that claim to overcome a couple of noted informalities contained therein. In addition, upon reviewing the version of claim 10, submitted with the September 6, 2006 Response, it was noticed that claim 10 omitted the following language, namely, ". . . 9, 10) that can be engaged for forming a power flow via shifting elements (5, 6, 7)", which was not canceled from claim 10 but inadvertently left out of that claim due to an oversight. Accordingly, above amended claim 10 now includes this inadvertently omitted language. It is respectfully submitted that such minor amendments do not, in any way, affect the previously indicated allowability of claims 10 and 11.

If any further amendment to this application is believed necessary to advance prosecution and place all of the claims in allowable form, the Examiner is courteously solicited to contact the undersigned representative of the Applicant to discuss the same.

In view of the above amendments and remarks, it is respectfully submitted that all of the raised rejections should be withdrawn at this time. If the Examiner disagrees with the Applicant's view concerning the withdrawal of the outstanding rejections or applicability of the Frost '358 reference, the Applicant respectfully requests the Examiner to indicate the specific passage or passages, or the drawing or drawings, which contain the necessary teaching, suggestion and/or disclosure required by case law. As such teaching, suggestion and/or disclosure is not present in the applied references, the raised rejection should be withdrawn at this time. Alternatively, if the Examiner is relying on his/her expertise in this field, the Applicant respectfully requests the Examiner to enter an affidavit substantiating the Examiner's position so that suitable contradictory evidence can be entered in this case by the Applicant.

In view of the foregoing, it is respectfully submitted that the raised rejections should be withdrawn and this application is now placed in a condition for allowance. Action to that end, in the form of an early Notice of Allowance, is courteously solicited by the Applicant at this time.

The Applicant respectfully requests that any outstanding objection(s) or requirement(s), as to the form of this application, be held in abeyance until allowable subject matter is indicated for this case.

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

Respectfully submitted,



Michael J. Bujold, Reg. No. 32,018
Customer No. 020210
Davis Bujold & Daniels, P.L.L.C.
112 Pleasant Street
Concord, NH 03301-2931
Telephone 603-226-7490
Facsimile 603-226-7499
E-mail: patent@davisandbujold.com

Annotated Drawing

1 / 2

